

FILED

AUG 11 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

Monte L. Haney
Petitioner,

v.

Derral G. Adams, Warden,
Respondent.

07-4682 CRB (PR)
Motion for extension of time.
CIV L.R. 6-3, Habeas L.R. 2254-6(a)
Fed. R. Crim. P. 45(b)(1)

Petitioner Monte L. Haney is hereby filing a Motion for extension of time. on July 24, 2008 the Deputy Attorney General Michele J. Swanson filed an answer to the Petitioner's writ of Habeas Corpus. the deputy Attorney General has cited approximately thirty nine cases in the answer. Petitioner needs time to go to the Law Library to obtain the Aforementioned cases to Read them and see if any of the cases will support my position. the Prison Law Library allows the Petitioner to Receive five cases Per week maximum and the Petitioner Does not have enough time to obtain all the cases by the current time deadline. Petitioner also needs time to shepardize the cases that I have to make sure that they are all good case Law before I use them in the traverse that I am Preparing. Petitioner Respectfully Request a 30 day extension of time for the reasons stated herein and the enclosed Declaration.

Dated: 8-7-08

Monte Haney
in Pro Per

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

Monte L. Haney
Petitioner,

v.

Derral G. Adams
Respondent

07-4682 CRB (PR)
Declaration of Monte L. Haney
in Support of motion for extension of time

1) I am a Party to this action.

2) On July 24, 2008 the Deputy Attorney General, Michele J. Swanson answered the Petitioner's writ of Habeas Corpus.

3) In the Deputy Attorney General's answer are approximately 39 cases.

4) Petitioner would like to obtain all the cases to see if any of those cases support his position.

5) Petitioner now has a court deadline of August 25, 2008 to file his traverse.

6) The Prison Law Library only allows the Petitioner to obtain five cases per week maximum.

7) With the current deadline of 8-25-08, Petitioner will not be able to obtain all the cases and complete his traverse by then.

8) Petitioner also needs time to Shepardize the cases he has obtained to ensure that they are all good case law before they are used in my upcoming traverse.

9) Petitioner Request a 30 day extension of time to complete his traverse in this matter.

I Declare under Penalty of Perjury the foregoing is true and correct.

Dated: 8-7-08

Monte Haney

in pro per

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA

3 Monte L. Haney
4 Petitioner,

07-4682 CRB(PR)
Proposed order

5 V.
6 Derral G. Adams, warden,
7 Respondent

8 for good cause appearing, petitioner is granted a
9 30 day extension of time.
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20 Dated:

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22 Signature _____
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PROOF OF SERVICE BY MAIL

I, Monte HaneY, declare that I am over 18 years of age, and a party to the attached herein cause of action, that I reside at California State Prison at Corcoran, in the County of King, California.

My mailing address is: P.O. Box 3476 Corcoran, CA 93212

On 8-7, 2008, I delivered to prison officials for mailing, at the above address, the attached: Motion for extension of time, Declaration in Support of and Proposed order.

in sealed envelope(s), with postage fully prepaid, and addressed to the following:

(1) clerk's office (2) _____

U.S. District Court - No. Dist of CA

450 Golden Gate Avenue, 16th floor

San Francisco, CA 94102

(3) _____ (4) _____

Petitioner also sent a copy of all enclosed documents to the Deputy Attorney General on this day.
I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. Executed this 7 day of August, 2008, at California State Prison, Corcoran.

Monte HaneY
In Pro Per

LA Penal Code 2601 Confidential Correspondence
Legal mail

8-7-08

CORCORAN STATE PRISON

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